

EXHIBIT “A”

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EXHIBIT “A”

Rebound Mental Health

Sharon Pyle, LPC

March 18, 2015

Stanley Hunterton
Hunterton and Associates
333 S 6th St.
Las Vegas, NV 89101

Monique Kirtley
Federal Public Defender
411 E Bonneville Ave Ste. 250
Las Vegas, NV 89101

Dear Mr. Hunterton and Ms. Kirtley,

I am writing this letter at the request and with the express written permission of William and Linda Livolsi to address the issue of their children's emotional well-being in the event both parents are incarcerated. I am currently seeing the Livolsi children in individual and joint sessions in order to establish rapport and be available when the children are informed of critical events involving their family. It is this clinician's opinion that the children are well connected and bonded with their parents and will benefit from having at least one parent residing with them during critical developmental years.

Part of a parent's responsibility is to provide a sense of emotional safety for their children. The concept of emotional safety assures a child that a person they trust and have a connection with is in charge of their environment and care. Children lacking emotional safety tend to have a host of emotional problems as they mature including a lack of ability to concentrate, behavior problems, and low self-esteem. The stress of being separated from both parents inhibits the ability to feel emotionally safe which can affect brain development and emotional control.

Both Nicholas and Sara Livolsi have strong attachments to their parents. Both children are in a stage of development where they see their identity through the eyes of their parents. Both are at an age of learning about themselves, societal rules and successful conflict resolution. Children master these developmental tasks and move on to the next by staying connected to a loving parent acting as their guide. Removal from their parents will greatly hinders developmental

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Information partially gathered from the following sources.:

The Connected Child by Karyn Purvis, Ph.D. and David Cross, Ph.D

<http://holtinternational.org/pas/newsletter/2012/08/12/emotional-regulation-felt-safety-a-new-take-on-an-old-term/>

<http://childdevelopmentinfo.com/child-development/erickson/>

<http://aspe.hhs.gov/hsp/08/mfs-ip/Innovative/rb.shtml#Family>

<http://www.researchgate.net/publication/12215651> Parenting from prison helping children and mothers

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growth in these minor children. For this reason, it is my hope that these children will have in-home access to one parent in the event the other is incarcerated.

I will be happy to provide documentation to support my thoughts on this matter. Please contact me if I can provide further assistance.

Regards,


Sharon Pyle, LPC

EXHIBIT “B”

EXHIBIT “B”

Exhibit 9
Primary Definition Recidivism Rates¹ for General Demographic Variables, by Criminal History Category
Gender, Age at Sentencing, and Race
 Recidivism Study 2003

CRIMINAL HISTORY CATEGORIES

Demographic Characteristics	Total Percent Recidivating	Category I Percent Recidivating	Category II Percent Recidivating	Category III Percent Recidivating	Category IV Percent Recidivating	Category V Percent Recidivating	Category VI Percent Recidivating
TOTAL²	24,335	15,429	2,857	2,844	1,359	779	1,067
Gender							
Female	13.7	10.0	23.6	30.7	40.0	36.8	39.0
Male	24.3	15.2	24.1	34.7	45.0	52.8	56.3
Age at Sentence							
Under 21	35.5	29.5	35.6	54.7	64.3	60.1	55.0
21 – 25	31.9	22.3	29.1	42.7	55.1	70.1	68.1
26 – 30	23.7	13.3	27.3	33.6	43.9	53.1	58.8
31 – 35	23.8	14.6	22.7	32.7	42.7	50.8	59.3
36 to 40	19.7	12.1	23.2	29.4	33.1	40.0	51.3
41 to 50	12.7	6.9	13.3	24.5	45.3	35.7	41.3
Over 50	9.5	6.2	13.9	19.8	21.0	57.1	41.1
Race							
White	16.0	8.9	18.9	27.8	42.8	46.8	50.9
Hispanic	24.3	18.9	22.9	36.0	28.1	47.0	57.8
Black	32.8	23.7	31.4	41.6	48.0	55.6	60.7
Other ³	26.4	15.5	35.9	58.3	39.6	100.0 ⁴	57.1

¹ Primary recidivism definition based on offender's re-arrest, including supervised release/probation violations, re-arrest, or re-conviction.

² Number of offenders with a 24 month period at risk of recidivating following either initiation of probation (for offenders receiving probation-only sentences) or release from confinement (for those offenders receiving confinement sentences).

³ "Other" race category includes Native Americans and Asians.

⁴ Indicates fewer than 10 sample subjects. Findings may not be statistically significant.

SOURCE: U.S. Sentencing Commission, FY1992 Recidivism Sample (U.S. Citizens), 2003, weighted data.

Exhibit 10
Primary Definition Recidivism Rates¹ for General Demographic Variables, by Criminal History Category
Employment, Education, Marital Status, and Illicit Drug Use
 Recidivism Study 2003

CRIMINAL HISTORY CATEGORIES

Demographic Characteristics	Total Percent Recidivating	Category I Percent Recidivating	Category II Percent Recidivating	Category III Percent Recidivating	Category IV Percent Recidivating	Category V Percent Recidivating	Category VI Percent Recidivating
TOTAL²	24,335	15,429	2,857	2,844	1,359	779	1,067
Employment Status³							
Unemployed	32.4	20.6	26.8	39.4	48.0	53.0	54.5
Employed	19.6	12.7	23.3	32.1	43.1	50.8	55.7
Educational Attainment⁴							
Less Than High School	31.4	21.3	31.3	38.5	49.8	50.9	59.5
High School	19.3	10.6	21.8	32.5	40.1	53.5	52.6
Some College	18.0	13.9	17.8	29.0	39.0	45.6	50.0
College Graduate	8.8	7.1	6.5	18.5	34.6	73.3	36.5 [‡]
Marital Status							
Never Married	32.3	22.7	32.3	44.6	46.9	56.8	57.9
Legal Marriage	13.8	9.8	13.9	25.1	40.0	41.3	52.7
Divorced	19.5	9.8	23.3	27.2	44.0	40.1	51.1
Other ⁵	22.9	12.9	23.1	31.4	45.1	62.0	55.7
Illicit Drug Use⁶							
No Illicit Drug Use	17.4	10.8	21.2	31.5	40.2	53.5	53.7
Illicit Drug Use	31.0	21.9	27.5	37.6	49.6	49.8	56.7

¹ Primary recidivism definition based on offender's re-arrest, including supervised release/probation violations, re-arrest, or re-conviction.

² Number of offenders with a 24 month period at risk of recidivating following either initiation of probation (for offenders receiving probation-only sentences) or release from confinement (for those offenders receiving confinement sentences).

³ Employment status during the year prior to the instant offense. "Employed" includes alternative forms of employment and "Unemployed" includes missing values.

⁴ Educational Attainment at the time of the instant offense.

⁵ "Other" marital status category includes "Co-habiting," "Widowed," and "Separated."

⁶ Illicit drug use during the year prior to the instant offense. Missing values counted as "No" illicit drug use.

[‡] Indicates fewer than 10 sample subjects. Findings may not be statistically significant.

Exhibit 11
Primary Definition Recidivism Rates¹ for Instant Offense Characteristics, by Criminal History Category
Instant Offense Level and Primary Sentencing Guidelines
 Recidivism Study 2003

CRIMINAL HISTORY CATEGORIES							
Offense Characteristics	Total	Category I	Category II	Category III	Category IV	Category V	Category VI
	Percent Recidivating	Percent Recidivating	Percent Recidivating	Percent Recidivating	Percent Recidivating	Percent Recidivating	Percent Recidivating
TOTAL ¹	24,335	15,429	2,857	2,844	1,359	779	1,067
Instant Offense Level							
01 – 08	22.5	15.1	29.8	37.6	44.1	54.6	62.4
09 – 10	22.5	9.6	18.3	45.4	51.0	54.4	60.6
11 – 12	21.7	8.7	38.0	39.1	50.8	52.2	52.0
13 – 16	22.2	14.8	23.5	37.4	39.5	50.8	58.1
17 – 21	27.3	17.5	25.7	37.5	44.1	59.6	59.6
22 – 25	22.8	13.3	22.5	33.3	40.3	34.9	61.6
26 – 30	20.7	18.9	19.7	19.2	39.5	43.8	41.4
31 – 43	17.5	11.1	12.2	22.4	30.6	46.2	39.9
Primary Sentencing Guideline							
\$2D1.1 (drug traf.)	21.2	16.7	19.8	26.1	37.7	45.1	43.8
\$2F1.1 (fraud)	16.9	9.3	26.3	33.8	42.3	51.2	53.4
\$2B1.1 (larceny)	19.1	11.6	37.9	56.6	43.0	7.4	58.0
\$2K2.1 (firearms)	42.3	23.7	26.8	44.1	53.0	61.2	63.4
\$2B3.1 (robbery)	41.2	33.7	31.4	38.8	57.1	48.2	70.5
All Other Guidelines	20.5	12.6	23.6	31.0	41.3	50.7	55.1

¹ Primary recidivism definition based on offender's re-arrest, including supervised release/probation violations, re-arrest, or re-conviction.

² Number of offenders with a 24 month period at risk of recidivating following either initiation of probation (for offenders receiving probation-only sentences) or release from confinement (for those offenders receiving confinement sentences).

³ The sentence imposed for the offender's instant offense, presented in months.

SOURCE: U.S. Sentencing Commission, FY 1992 Recidivism Sample (U.S. Citizens), 2003, weighted data.

Exhibit 12
Primary Definition Recidivism Rates¹ for Instant Offense Characteristics, by Criminal History Category
Type of Sentence, Length of Sentence, and Departure Status
 Recidivism Study 2003

CRIMINAL HISTORY CATEGORIES							
Offense Characteristics	Total	Category I	Category II	Category III	Category IV	Category V	Category VI
	Percent Recidivating	Percent Recidivating	Percent Recidivating	Percent Recidivating	Percent Recidivating	Percent Recidivating	Percent Recidivating
TOTAL ²	24,335	15,429	2,857	2,844	1,359	779	1,067
Type of Sentence							
Fine Only	1.2	0.0†	0.0†	0.0†	100.0†	0.0†	0.0†
Probation Only	15.1	12.7	21.8	36.4	42.9	64.7	57.1†
Probation + Alternatives	16.7	13.3	29.4	37.2	44.1	73.3	58.3†
Prison + Alternatives	18.3	12.1	26.3	32.5	57.1	50.0	58.3
Prison Only	25.6	14.8	23.6	34.0	44.2	50.8	55.1
Length of Sentence ³							
0	15.7	12.8	25.2	36.8	44.4	68.8	57.7
01 – 05	14.3	7.4	32.7	31.2	66.7	55.6	25.0†
06 – 11	127.1	17.2	25.0	45.5	42.3	64.0	57.7
12 – 23	28.4	16.5	27.2	40.4	51.0	50.7	61.0
24 – 59	26.8	14.0	22.9	34.4	44.6	51.3	57.3
60 or More	22.7	15.1	19.1	22.3	36.6	46.7	49.7
Departure Status							
Within Guideline	23.3	14.6	25.5	37.0	45.8	51.7	56.8
Upward Departure	27.8	0.0†	14.3†	22.2	44.4	57.1	57.1
Substantial Asst.	17.9	11.5	19.0	24.7	40.2	57.7	51.8
Other Downward	23.0	16.7	27.3	29.8	39.2	30.5	54.4

¹ Primary recidivism definition based on offender's re-arrest, including supervised release/probation violations, re-arrest, or re-conviction.

² Number of offenders with a 24 month period at risk of recidivating following either initiation of probation (for offenders receiving probation-only sentences) or release from confinement (for those offenders receiving confinement sentences).

³ The sentence imposed for the offender's instant offense, presented in months.

† Indicates fewer than 10 sample subjects. Findings may not be statistically significant.

SOURCE: U.S. Sentencing Commission, FY1992 Recidivism Sample (U.S. Citizens), 2003, weighted data.

Exhibit 13
Offenders' Recidivating Offense Under the Primary Recidivism Definition,¹
by Criminal History Category
 Recidivism Study 2003

CRIMINAL HISTORY CATEGORIES

	Total	Category I	Category II	Category III	Category IV	Category V	Category VI
	Percent	Percent	Percent	Percent	Percent	Percent	Percent
TOTAL PERCENT	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Recidivating Offense Type²							
Probation Rev.	20.8	24.1	21.8	20.8	17.8	14.7	15.2
Supervision Rev.	18.6	14.0	17.4	19.6	25.1	26.7	23.1
Fraud	4.8	5.9	5.1	5.1	2.5†	2.1†	4.0
Drug Possession	5.6	5.2†	2.6†	8.8	4.5	6.4	5.5
Drug Trafficking	8.8	11.1	9.3	7.4	7.6	6.7	4.1
Larceny	7.7	6.9	8.0	5.6	5.7	9.5	14.9
DUI	4.9	6.1	6.0	5.0	2.3†	2.8†	3.1
Serious Violent Offense ³	11.7	9.6	13.5	12.2	16.3	10.8	12.5
Other	17.1	17.1	16.3	15.5	18.2	20.3	17.6
	(N=5,377) ⁴	(N=2,128) ⁴	(N=687) ⁴	(N=974) ⁴	(N=606) ⁴	(N=400) ⁴	(N=582) ⁴

¹ Primary recidivism definition based on offender's re-arrest, including supervised release/probation violations, re-arrest, or re-conviction.

² Offense types only for offenders who had a first recidivism event during the 24 month recidivism follow-up period after either initiation of probation (for offenders receiving probation-only sentences) or release from confinement (for those offenders receiving confinement sentences).

³ "Serious Violent Offense" category includes re-arrests for the following offense types: homicide, kidnapping, robbery, sexual assault, aggravated assault, domestic violence, and weapon offenses.

⁴ Number of offenders who recidivated in the given CHC.

† Indicates fewer than 10 sample subjects. Findings may not be statistically significant.

SOURCE: U.S. Sentencing Commission, FY1992 Recidivism Sample (U.S. Citizens), 2003, weighted data.

EXHIBIT “C”

EXHIBIT “C”

CATEGORIES

¹ Number of offenders with a 24 month period at risk of recidivating following either initiation of probation (for offenders receiving probation-only sentences) or release from confinement (for those offenders receiving confinement sentences).

² Prior Arrests with no dispositions and convictions for only the "never-count" offenses specifically listed in §4A1.2(c)(2).

³ Primary recidivism definition based on offender's re-arrest, including supervised release/probation violations, re-arrest, or re-conviction.

⁴ Re-conviction recidivism definition based solely on the offender's re-conviction, excluding any supervised release/probation violations or re-arrests.

⁵ Indicates fewer than 10 sample subjects. Findings may not be statistically significant.

SOURCE: U.S. Sentencing Commission, FY 1992 Recidivism Sample (U.S. Citizens), 2003, weighted data. Missing data are excluded, unless specified

Exhibit 7
Number of Prior Arrests,¹ by Criminal History Category I
With Details for Zero Point Offender Categories
 Recidivism Study 2003

Offender's Number of Prior Arrests ¹	CRIMINAL HISTORY CATEGORY I							
	ZERO POINT OFFENDERS							ONE POINT OFFENDERS
	Total Zeroes	Group A no arrests ²	Group B no convictions	Group C never-count conv ³	Remaining Zeroes			
	N	%	N	%	N	%	N	%
TOTAL	14,845	100.0	8,854	100.0	2,499	100.0	460	100.0
0 Arrests	10,710	72.1	8,854	100.0	0†	0.0	303	65.9
01 Arrest	2,265	15.3	0	0.0	1,465	58.6	124	26.9
02 Arrests	992	6.7	0	0.0	570	22.8	23†	4.9
03 Arrests	387	2.6	0	0.0	207	8.3	10†	2.3
04 – 09 Arrests	469	3.2	0	0.0	257	10.3	0†	0.0
10+ Arrests	21†	0.1	0	0.0	0†	0.0	0†	0.0

¹ Prior arrests that did not result in a conviction (i.e., these arrests were found not guilty, dismissed, were pending, on warrant status, or disposition records could not be located by P O.).

² Group A offenders do not have prior arrests, by definition.

³ Prior Arrests with no dispositions and only for "never-count" convictions for the offenses specifically listed in §4A1 2(c)(2)

† Indicates fewer than 10 sample subjects. Findings may not be statistically significant

SOURCE: U.S. Sentencing Commission, FY1992 Recidivism Sample (U.S. Citizens), 2003, weighted data. Missing data are excluded, unless specified

Exhibit 8
Recidivism Rates, by Prior Arrests for Offenders
With No Prior Convictions
(First Offender Group A and Group B)

Offender's Number of Prior Arrests	Two-Year Recidivism Rates
Group A	
0 arrests	6.8
Group B	
1 arrest	13.2
2 or more arrests	23.2

SOURCE: U.S. Sentencing Commission, FY1992 Recidivism Sample (U.S. Citizens), 2003, weighted data